

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

EDDIE G. JONES]	
Plaintiff,]	
]	
v.]	No. 3:12-0468
]	Judge Campbell
STATE OF TENNESSEE]	
Defendant.]	

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Hill Detention Center in Nashville. He brings this action pursuant to 42 U.S.C. § 1983 against the State of Tennessee, seeking injunctive relief and damages.

According to the complaint and attached exhibits, the plaintiff is a registered sex offender in Davidson County. He has apparently been arrested and charged with failing to promptly report changes to his employment and living arrangements. The plaintiff alleges that the defendant has illegally placed him in jail.

The Eleventh Amendment bars a suit in federal court by a citizen against a state or its agencies unless the state has expressly consented to suit by waiving its sovereign immunity or Congress has clearly overridden that immunity. Pennhurst State School and Hospital v. Halderman, 104 S.Ct. 900, 908 (1984); Will

v. Michigan Department of State Police, 109 S.Ct. 2304, 2312 (1989).

Congress has not overridden a state's sovereign immunity to civil rights complaints. Moreover, the State of Tennessee has not consented to waive its immunity to such actions. Berndt v. Tennessee, 796 F.2d 879 (6th Cir.1986). Therefore, faced with the defendant's sovereign immunity, the plaintiff has failed to state a claim upon which § 1983 relief can be granted.

Having failed to state a claim upon which relief can be granted, the Court is obliged to *sua sponte* dismiss the instant action. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.

Todd Campbell
Todd Campbell
United States District Judge